

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 3, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by MR. DOREN R. ESKEW, City Attorney.

Pursuant to published notice thereof the following zoning applications were publicly heard:

CHALET RESTAURANT	Rear of 5006-5008 Lynnwood	From "GR" General
CORPORATION	Rear of 2201-2203 Hancock	Retail
By Sidney Purser		To "C-1" Commercial
		RECOMMENDED by the
		Planning Commission

Councilman LaRue moved that the change to "C-1" Commercial be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

SOUTHWEST AUSTIN	Rear of 2724-2812 South	From "B" Residence
INVESTMENT CORP.	Lamar Boulevard	To "GR" General Retail
By Oscar W. Holmes		RECOMMENDED by the
		Planning Commission

Councilman LaRue moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

DR. HENRY H.
BLAUSTONE
By Pat O'Grady

4420 South Congress Avenue

From "C" Commercial
6th Height & Area
To "C-1" Commercial
6th Height & Area
RECOMMENDED by the
Planning Commission

Councilman LaRue moved that the change to "C-1" Commercial 6th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

DON E. LEGGE

3801-3815 Oak Springs Drive
1146-1148 Springdale Road

From "B" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

Mrs. Bessie Jackson, 1139 Springdale Road came in later to make inquiry about this zoning change. Her property was not included in the application but when Springdale Road is widened right of way may be needed from her property. Councilman Long moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

JAKE SILBERSTEIN

2000-2002 East 12th Street
1201-1211 PoquitoFrom "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Opposition was expressed by MRS. FLOYD CHILDS, 2005 East 12th Street, MRS. QUINCY SAULS, 2003 East 12th Street; MRS. OMA HOWARD, 2004 East 12th Street; MISS HAZEL WASHINGTON, 2001 East 12th Street reporting the situation was so bad now with the other beer establishments in the neighborhood, they could not sleep. If another one were located right in their own block the condition would be worsened, and these establishments bring an undesirable element into the neighborhood. The Council made an on site inspection and in the afternoon meeting, Councilman Long moved that the recommendation of the Planning Commission be accepted and the change granted to "C-1" Commercial. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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FIRST AUSTIN CO.
By Trigg Forister1608-1610 Nickerson Street
106-110 East MiltonFrom "BB" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

MRS. MATTIE BURGER, 1609 Nickerson Street made inquiry, being concerned that no beer would be sold from this establishment. She had no objection to "LR" Local Retail zoning. In the afternoon meeting, Councilman Long moved that the change to "LR" Local Retail be granted. The motion, seconded by Councilman Shanks carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOYCE BARTON, ET AL
By C. T. Uselton908 East 12th Street
1200-1204 Olander StreetFrom "B" Residence
2nd Height & Area
To "C" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

Mr. C. T. Uselton represented the applicant, stating a hotel was to be constructed at this location. MRS. DAISY DABNEY made inquiry about the zoning. Mr. Uselton stated they hoped to be purchasing her property, and this zoning would be in keeping with the zoning of the rest of the block. Councilman Shanks

moved that the change to "C" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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FAYE F. JOHNSON
By Sterling Sasser
and Son

1800-1802 Navasota Street
Additional Area
1804 Navasota Street

From "A" Residence
2nd Height & Area
To "C" Commercial
2nd Height & Area
RECOMMENDED by the
Planning Commission
"C" Commercial 2nd
Height & Area for W.
50' of subject property
including additional
area, and "B" Residence
2nd Height & Area for
remainder of subject
property.

Mr. Sterling Sasser was contacted and stated the recommendation of the Planning Commission was satisfactory to him. Miss Molli Allison appeared only in interest of the matter. Councilman LaRue moved that the Council grant the change as recommended by the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area for West 50' of subject property including additional area, and "B" Residence 2nd Height and Area for remainder of subject property and the City Attorney was instructed to draw the necessary ordinance to cover.

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A. P. WALKER

2101-2103 Brooklyn Street
515-517 Leland Street
2100-2102 East Side Drive

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Booth represented the applicant, stating no citizen in the area was opposing this application and everyone had signed a petition asking the Council to grant this change and permit Mr. Walker to continue his service. Most of his repair work is done at the location of the appliance. If it is a major repair, he takes the appliance to his home and repairs it. He has been operating for 15 or 20 years, and had not received any notice to stop his operation, however he wanted the land zoned properly, and the Commission recommended denial because it was spot zoning. Later in the afternoon meeting, after the Council made an on-

site inspection of the area, Councilman Shanks moved that this application be placed on the pending list. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

E. F. EVANS	1302-1308 Robert E. Lee	From "A" Residence
By William F. Kemp	Road	To "BB" Residence
		NOT Recommended by the
		Planning Commission

MR. DARROUZET represented his mother who was opposed to this change of zoning, and wanted to be notified when this application is before the Council upon the return of the applicants. He said the request is to allow apartments, and the surrounding area is "A" Residence zoning. This is spot zoning, does not relate to any plans of the City, safety, morals, general health or welfare. The only evidence presented was this was a fine location for an apartment house. An apartment would block the view of many and the property is restricted. He asked that the recommendation of the Planning Commission be upheld. Opposition was expressed by MRS. JACK FAGAN opposing to the change of zoning, and pointing out the need of a traffic light at the corner. MR. J. H. MELLON opposed the change of zoning since there was already a traffic problem, and he too asked that a traffic light be installed. MR. LELAND KIMBALL, 1505 Norris, stated placing an apartment like this on a high hill was not good, and would ruin the sky line. Councilman LaRue moved that this hearing be continued until 10:15 A.M., February 10th. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

MRS. CHARLES TOD	Tract 1	
ARMSTRONG	1213-1215 Baylor Street	From "B" Residence
	1212 Parkway	2nd Height & Area
		To "C-1 Commercial
EDDIE SIMMONS,	Tract 2	2nd Height & Area &
ET AL	1205-1211 Baylor Street	"C" Commercial 2nd
By M. B. Braswell	1210 Parkway	Height & Area
	Additional Area	NOT Recommended by the
	1201-1203 Baylor Street	Planning Commission
	1016 West 12th Street	RECOMMENDED "O" Office
	1206-1208 Parkway Street	

MR. BRASWELL represented six applicants stating this was the only block not equalized with commercial uses, and these applicants wish to put in a group of businesses to serve this area of multiple apartments. It is proposed to put in a drive-in grocery, the only one within a six square mile area. Traffic will be lessened on Lamar, as this area will draw it in there. He said there was a need for service in this area, and some rental houses will be replaced by new commercial buildings. When 15th Street overpass comes in, the neighborhood which is in a transition period now will be changed. Opposition by MR. JACK LEBOS; MRS.

February 3, 1966

STERLING ADAIR, 1201 Castle Hill; MR. F. W. SMITH, 1205 Castle Hill; MRS. PENNYBACKER, 1105 Enfield Road; MRS. BETTY EASTON, owner of property on Baylor, MRS. McANGUS, owner of 1201 Baylor and MR. LOUIS HIRSHFELD, 1505 Parkway, was based on this commercial use generating more traffic in this area and there was no need for commercial zoning in this vicinity. Generally, the opposition favored the "O" Office zoning. MR. BRASWELL asked that this be postponed until the Council could make an on site inspection of the area. The group in opposition asked the Council to drive out during the peak traffic period. In answer to an inquiry if he would accept "O" Office, Mr. Braswell stated "O" Office zoning would not fit into this property and he would be compelled to withdraw the application if the Council zoned Tracts 1 and 2 "O" Office. Later in the afternoon meeting the Council took no action on this application, holding it over until the following week.

M & O TIMBER CO.,	1908-2002 San Antonio	From "B" Residence
ET AL, By J.	501-505 West 21st Street	2nd Height & Area
Malcolm Robinson	2006-2010 San Antonio	To "C" Commercial
	Additional Area	2nd Height & Area
	2004-2006 San Antonio	NOT Recommended by the
		Planning Commission

MR. MALCOLM ROBINSON represented the applicants, stating there were three parcels in this application. The request is for a multi-story apartment project. Discussion was the Central Expressway location, timing, and the present zoning which would permit apartments now. Honorable Bob Landis Armstrong, representing owners of the property at 1908-12, suggested that the street could be moved one street to the west and provide more services to the University students. Mayor Palmer expressed the need for more specific information from the staff, and then the Council would let them know as soon as possible.

Councilman Long moved that the Council recess until 2:30 P.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Councilman White moved that the Minutes of January 20, 1966 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor brought up the following zoning application:

ROSA B. COOPER	2102 East 12th Street	From "A" Residence
By Mike Arnn	Additional Area	To "C" Commercial
	2100 East 12th Street	NOT Recommended by the
	1201-1205 Alamo Street	Planning Commission

The Chief of the Plan Section reported this application had been referred back to the Plan Commission for it to study the area of the entire block. It had recommended against this individual application as the size of the lot was not large enough to warrant the zoning. No one appeared at this hearing. The Council wanted to review the file and the new recommendation.

MR. R. P. VINALL, International Director for the Laborers International Union, stated they were present at the request of members of the Local Union of City Workers, to invite the members of the City Council to attend the Charter Installation at 7:30 P.M. at 1192 Angelina Street. He introduced MR. J. M. BREEDING. The Mayor thanked them for the invitation.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.52 OF ONE ACRE OF LAND, SAME BEING ALL OF LOT 3, BLOCK F, BURLESON ROAD HEIGHTS, A SUBDIVISION OF A PORTION OF SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Burleson Road Heights and portion of Princeton Drive)

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"February 1, 1966

"TO: W. T. Williams, Jr.,
City Manager

SUBJECT: Assessment Paving Contract No. 65-A-17

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, February 1, 1966 for the construction of approximately forty-six (46) blocks of pavement and accessories known as Assessment Paving Contract Number 65-A-17, consisting of 18 units.

"Pat Canion Excavating Co.	\$141,680.75
Lee Maners	\$142,985.22
Austin Paving Company	\$144,942.66
Werneberg Construction Co.	\$148,887.56
Ed H. Page	\$153,495.55
Jack A. Miller	\$158,562.38
J. C. Evans	\$173,146.33
City's Estimate	\$151,213.30

"I recommend that Pat Canion Excavating Co. with their low bid of \$141,680.75 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works
s/ S. Reuben Rountree, Jr."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 1, 1966, for the construction of approximately forty-six (46) blocks of pavement and accessories known as Assessment Paving Contract Number 65-A-17, consisting of 18 units; and,

WHEREAS, the bid of Pat Canion Excavating Co., in the sum of \$141,680.75, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Pat Canion Excavating Co., in the sum of \$141,680.75, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Pat Canion Excavating Co.

The motion, seconded by Councilman LaRue, carried by the following:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman White moved that the shoreline improvements on Lake Austin for A. T. RAY, JR. - construct retaining wall and boat slip on the east $\frac{1}{2}$ of Lot 5 and the west $27\frac{1}{2}$ ' of Lot 4, Bruton Springs Subdivision be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council had before it the second reading of the Fire Prevention Code. The Assistant City Attorney, Mr. Kenneth Jones, distributed copies of a summary of changes proposed in the new Fire Prevention Code. The Fire Marshal reviewed the minor changes which were made to coincide with the Building Code, and a few technical changes. Also distributed were copies of suggestions made by the Fire Prevention Code Committee after meeting January 31st with the Building Official. General discussion was held on these suggestions. Mayor Palmer read a letter from MR. ED LOREY submitting recommendations regarding Article 14, Section 11.1403 to include airports, landing fields, nurseries, rest homes, retirement homes, and similar places; Section 11.1404, Minimum sizes for required fire extinguisher units, Paragraph 3, Garages, public, storage or repair; Paragraphs 9 and 10, pertaining to type and size of extinguishers on transports; Paragraph 12, size and type for kitchens. The Fire Marshal read Chapter 10, National Fire Code of 1965-66 regarding fire extinguishers. He said the recommendation in the proposed ordinance is the same as required by the Railroad Commission.

Mr. Lorey pointed out under 11.1404 Sections 11 and 12, Garages and Kitchens respectively, that areas under 2000 square feet and 200 square feet should be covered. After discussion Councilman Long moved that Section 11.1404 Paragraph 3 be amended to read that for "2000 square feet or less, one suitable extinguisher; and one for each additional area above that"; and other paragraphs where clarifications are necessary be amended. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

MR. BURT MATTHEWS was interested in Article 13, banning fireworks within the city limits. He had been operating under the State law which prohibits the sale of fireworks beyond sparklers, roman chandles, etc. He asked the Council to omit this ban and let them continue as they had been in the past. Councilman Long thought this section was wrong, too strict, and she did not want to see it passed. The Fire Marshal said these little fireworks stands do not catch on fire; they explode, and his concern was a child's being trapped in one. Practically every city in the United States has some control over explosives and they are kept outside of the city limits. Councilman Long stated people in all cities would shoot fire crackers, and there are those made and designed for youngsters, and she favored letting the children have them and not have an ordinance that would be violated. The Fire Marshal stated about 40 states ban all fireworks. Councilman Long wanted to see it in writing. MR. JAMES EVANS, State Department of Insurance, stated 34 states have banned fireworks, and only 16 permit the same. He said Austin was the only town of this size that lets fireworks be sold in the City limits. All cities the size of Austin and larger have ordinances banning fireworks even sparklers. The Mayor asked if this was the unanimous feeling of the Committee that fireworks should be banned in the City. MR. ED VAUGHN stated the committee totally agreed. UNIVERSITY FIRE CHIEF H. B. WHITWORTH also agreed on no fireworks in the City. Councilman Long stated these fireworks companies would not sell enough in the country to keep in business. Mr. Matthews stated there were 12 in the business, and only 4 or 5 highways available. The little portable stands make up about 80% of their business. MR. LUXINGER dealer in fireworks stated it would not make any difference if they were moved out of the City, as just a few get the business instead of the many. Councilman Long stated Mr. Warren, Minimax, representing himself, called and asked to be put on record as opposed to this proposition. Mr. Evans reported more stands burned in the City limits in Austin than in all the state combined.

Councilman Long moved that the words "use or explode" be excluded from the new Fire Prevention Code in Section 13.03B and it shall read "unlawful to sell in City except authorized display". The motion, seconded by Councilman White, lost by the following vote:

Ayes: Councilmen Long, White
Noes: Councilmen LaRue, Shanks, Mayor Palmer

Councilman Long moved that the Section relating to Fireworks which makes it unlawful to sell, use or explode in the City, be removed from the new Fire Prevention Code. The motion, seconded by Councilman White, lost by the following vote:

Ayes: Councilmen Long, White
Noes: Councilmen LaRue, Shanks, Mayor Palmer

Councilman Shanks moved that the Council at the present time sustain the Committee's recommendation and the Code be left as it has been presented. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, Mayor Palmer
Noes: Councilmen Long, White

Statements were made by Council Members as follows:

MAYOR PALMER stated the Council had been told many times it should look into the Fire Prevention Code for the health and safety of the citizens and the committee unanimously felt this was an extreme hazard and voted to control it; and from the information received today that every other major city the size of Austin or larger has banned fireworks and this is a very good provision to be left in the Code.

COUNCILMAN LONG stated the committee had written a very good code; and as a whole it is very fine, but when it is written in there the outlawing of certain businesses and certain pleasures that children get, and there is no proof that it has been any more dangerous than riding tricycles, motorcycles, spinning tops, skate boards, it is just going too far, and she could not go along with the Code. She said she could not vote against her principles and idea of free enterprise.

COUNCILMAN LARUE stated he was wholly in accord with the findings of the committee and noted the indication that Austin has had a greater number of explosions in the fireworks stands than all of the rest of the State put together, the parcelling out or selling of incendiaries to be taken throughout the City in a congested area, was in his opinion wrong.

COUNCILMAN WHITE stated he would vote for the Code except the paragraph there about the fireworks which they had just tried to vote out. On the balance of the Code the Committee did a good job.

The City Manager stated in the Workable Program, it is required to indicate that the Council has adopted a Fire Code before March 1.

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 11 OF THE AUSTIN CITY CODE OF 1954 ENTITLED 'FIRE PROTECTION', REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; RENAMING SUCH CHAPTER 11 OF THE AUSTIN CITY CODE OF 1954 TO READ 'FIRE PREVENTION CODE', AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Shanks moved that the ordinance be passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, Mayor Palmer
Noes: Councilmen Long, White,

COUNCILMAN LONG stated there is one sentence which is contrary to the American principle and ideals in free enterprise, and she was voting "no".

COUNCILMAN WHITE stated he would vote for everything in the ordinance except the Fireworks provisions.

The Mayor asked all that might have further suggestions to submit them in writing.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: TRACT 1: 27.54 ACRES OF LAND, MORE OR LESS, LOCALLY KNOWN AS 100-724 ANDERSON LANE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND TRACT 2: 4.70 ACRES OF LAND, MORE OR LESS, LOCALLY KNOWN AS 7800-8000 INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE PORTIONS OF FLORES STREET, SAN MARCOS STREET, WATERFRONT STREET, AND WATERFRONT STREET ALLEY IN R. C. LAMBLE'S RESUBDIVISION OF VOSS ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES IN FLORES STREET; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance has been finally passed.

The Mayor requested that JUDGE IVAN R. WILLIAMS, JR., be contacted and invited to meet with the Council, Thursday, February 10th at 3:00 P.M.

Councilman Long asked for a report on Anderson Lane. The City Manager reported it had been scheduled for paving for a 44' width, but it was suggested a study be made of a 60' paving. Paving at this width would entail the purchase of a lot of right of way, removal of many utility lines and poles, and would take about two years to accomplish, plus \$100,000 for moving utilities and purchasing right of way. The Mayor asked about the H.E.B. development and about the other big shopping center's plans. The City Manager stated the right of way should be obtained when it is available all along, so when the 60' street is needed some 25 years hence, it would be ready. The Mayor suggested the possibility of setting a building line on some basis. The Council wanted to make an on site inspection of Anderson Lane east of Burnet Road. The Mayor asked that traffic counts, the plans of the developments, and other information be made available.

The City Manager stated the Council received copies of a letter from Mr. Tom Perkins regarding transportation to and from Fiesta Gardens. The Texas Medical Convention had asked what would be available in this particular, so they could list it on their program. After discussion of various approaches of this type of operation on the Lake, Councilman LaRue moved that WARREN BEAMAN, ET AL be permitted to operate a boat during April 14-17th for the purpose of picking up the members of the Medical Convention, and that the City Manager be asked to contact Mr. Beaman; and if this is not satisfactory to let him shape his plans, the Council will try to do something else next week. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long made the following statement:

"She was not quite ready to solve this question,
as she thought it was premature, and the problem
is not worked out"

The Director of Public Works made a report on participating with the Southern Pacific on flashing signals at 45th Street and Ohlen Road, where the City participated 90%; and at Dawson Drive where the subdivider participated with the City. He proposed signals and gates also at the Koenig Lane, East 12th Street and Anderson Lane crossings, at a reduced City participation where it would pay 60%. Councilman Shanks moved that the City Manager be authorized to execute the contract to participate with the Southern Pacific Railroad on crossings at Koenig Lane, East 12th Street and Anderson Lane. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long suggested studying 38 $\frac{1}{2}$ Street and 51st Street crossings.

The City Manager reported a letter from HONORABLE JAKE PICKLE concerning a work shop Monday, Austin Hotel, 9:00 A.M., February 7th, at which various Federal Aid programs would be discussed. Mayor Palmer hoped there would be good representation from the Council and City at this work shop.

The City Manager reported he had an estimate from the LONE STAR GAS COMPANY on the cost of moving and rerouting a pipe line in the Decker area which is to be submerged. The cost of relocating this 20" line will be \$134,770. There will be about \$65,000 of salvage which will cost \$10,000 to remove. Net cost will be \$79,877. The Superintendent of the Water and Sewer Utilities and the Electric Engineers had reviewed these estimates, and say they are reasonable. Councilman LaRue moved that the City Manager be authorized to enter into a contract as outlined. The motion, seconded by Councilman Shanks, carried by the following vote: (Estimate on file under POWER PLANT - Decker Creek)

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated it was planned this transmission line would be located in property the City is to acquire, and if the Company has to obtain right of way the cost will be more.

The City Manager submitted the request of the Ben Hur Shrine Convention Association for a parade beginning at the Auditorium, crossing South 1st Street Bridge, and on up Congress Avenue; also to have a reviewing stand of a steel bleacher construction in front of the State Parking Lot at 11th and Congress Avenue, June 4, 1966. Councilman Long moved that the City Manager be authorized to make all arrangements for the parade with all the departments. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager reported the City last week sold \$3,000,000 General Obligation Bonds, and \$6,000,000 Revenue Bonds. There are still \$8,000,000 Revenue Bonds authorized, and these would probably be sold sometime this summer or in the fall. That will exhaust the authority for revenue bonds. Consultants had been engaged sometime ago to review the long range water and sewer development program, to know what differences may exist in the next five years' requirements. Generally, about \$90,000,000 will be required in the next five years for both utility systems. About \$40,000,000 will come from current earnings of the system, and it will be necessary to get a new authority for \$50,000,000. The last bond authority in 1960 was for this same amount and was to carry through five years, including 1960. With the use of current funds to supplement bond funds, along with the fact facilities were acquired at a slightly less cost than their estimate, that authority will extend over $6\frac{1}{2}$ years. The Administration is in the process of studying a five year program. It is believed there would not be any increase in the rates to take care of the debt service. He stated the program needed to be set up and reviewed with the rating houses before anything final was decided. Councilman Shanks moved to instruct the City Manager to start working on the program, so that there will be something concrete to present at the earliest possible date that is feasible. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council had asked for a report on some zoning cases on the pending list, and the City Manager stated this report is ready. It was decided to postpone this possibly until next week.

Councilman Shanks moved that the City Manager negotiate the lease with C. B. Smith on 5th Street and Lamar on the basis of \$175.00 per month for a three year period, retroactive to the time the lease expired. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor listed events to which the Council was invited:

U.S.O. 25th Anniversary, February 4, 9:00-11:00 A.M.
American Legion - Opening of Headquarters at 10th and Interregional Chamber of Commerce, 9:00 A.M. Tuesday, February 15, at the Chamber of Commerce Building, regarding inspection of the site of the proposed Mental Retardation Project.
Chalet Fiesta, February 20-21st, 4 T Ranch, Georgetown.
Open House, University Hills, Press Showing on Friday, February 4, 10:00 A.M. (Mr. Walter Carrington)

The Mayor read a note that MRS. LEON TAGGART, 3214 Meredith, regarding the bus service, and suggested the City purchase the transit system.

The Mayor read a letter commending the Electric crew for its prompt response to a call informing them of a power failure at 2:10 A.M. Power was restored about 2:50, and outside temperature was 20°. Those depending on electricity for heating would have suffered had the service interruption been long.

The Mayor stated that Austin had been designated as a Regional Office for the Veterans Administration, and the Council might should do something for the 25 who are in Austin on a training program. This could be decided next week.

The Council decided to consider the Child Caring Ordinance at 10:30 A.M., February 17th.

There being no further business, Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 5:25 P.M. subject to the call of the Mayor.

APPROVED

Levin & Palmer
Mayor

ATTEST:

Ellis Hooley
City Clerk